IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5697 OF 2005

Spu Nikita Preveen Kekal & Anr ...Applicants

Versus

Sou. Sushila Ganajan Pavaskar ...Respondent

.....

Mr. A.T. Gade i/b P.R. Katneshwarkar, Advocate for Applicants.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 13TH SEPTEMBER, 2005

P. C.:-

1. Heard the learned advocate for the applicants.

2. The applicants have prayed for quashing of process issued against them in Criminal Case No. 943/2004 which is pending in the Court of learned J.M.F.C., 5th Court, Kolhapur. In the said case, process has been issued against the applicants under Sections 415, 417, 420 r.w.34 of I.P.C.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in Criminal Application No.550 of 2005, the applicants have an efficacious remedy of preferring revision

against the order of Magistrate issuing process. Hence, in my opinion, it would be appropriate that the applicants prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision would be preferred within a period of four weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of four weeks from today.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Application is disposed of.

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